

The following narrative from Counsel on behalf of the Matakana Hapū explains the process in which this was achieved.

Whitaker stated in Parliament that it was... "Absolutely essential not only for the sake of ourselves, but also for the benefit of the natives that the Native Title should be extinguished the Native Custom got rid of, and the natives as far as possible placed in the same position as ourselves".

Background details concerning William Daldy was provided by Waitangi Tribunal Researcher, Suzanne Woodley, that he was an associate of Russell & Whitaker and a mediator of the First Bank of New Zealand. He represented Auckland in Parliament between 1855 and 1860. Woodley also suggests that he had a commercial interest in timber and gum which explained his interest in Matakana Island.

Daldy like Russell and Whitaker were of the opinion that:

"Maori must be subdued and that Maori lands must, by whatever means, come more freely into European hands".

Boast also suggests that Russell, Whitaker and Daldy were working in concert in acquiring as much land as possible.

"My opinion is that it is unlikely that Russell, Whitaker & Daldy were acting in opposition to each other, and it seems more probably that the three of them had tried to acquire the whole of Matakana Island in partnership, Whitaker and Russell buying up the western side of the Island and Daldy the eastern side of the Island".

Our Interests in Panepane and Pūrākau

We present the following information so readers can understand the context in which this Hapū Management Plan operates.

In 1877, the Tauranga Lands Commission under the Tauranga District Lands Act 1867/68 determined the title to the Panepane and Pūrākau blocks. The Panepane block consisted of approximately 200 acres. It is also known as Lot 13 Katikati Parish. The block remained in Maori ownership until the 1920's.

In December 1922 the Crown compulsorily acquired the block under the Public Works Act 1908 for 'harbour improvement purposes.'

Pūrākau

In 1912 the Pūrākau block was partitioned into Pūrākau 11A and 11B. The Pūrākau block comprised 1,342 acres.

In 1923, William Phillips acquired Pūrākau 11A. At the time the block was inalienable under the Native Land Act 1909 and required the approval of the Minister of Native Affairs. This was granted by the Minister following an application by Waiariki District Maori Land Board.

In 1922, the Crown also acquired a section of Pūrākau 11B comprising around 228 acres under the Public Works Act 1908 for 'harbour improvement purposes.' At the time, Panepane and Pūrākau were covered in manuka and bush. The intent of Tauranga Harbour Board was to plant marram grasses or lupins to control drifting sands. Soon after acquisition the Board planted the blocks in pine with the dual aims of stopping sand drift and creating a cash crop.

In 1926, the planting of pines commenced. Over 100,000 seedlings were planted during the next five years.

By 1942 a further 428 acres were planted in exotic forest. The Tauranga Harbour Board subsequently applied to government to sell the timber.

On 1 July 1976, Panepane and Part Pūrākau 11B were leased to Forest Products Ltd for 50 years. In 1994, the lease was then transferred to Rayonier New Zealand Limited.

In 1989, Panepane and Part Pūrākau 11B were transferred from the Tauranga Harbour Board to the Western Bay of Plenty District Council. At the time, the Minister of Transport did not consent to the blocks being acquired by the newly established Port of Tauranga Limited.

The Western Bay of Plenty District Council retains ownership of Panepane and Part Pūrākau 11B and asserts that the land is still required for 'harbour improvement.' Our aspiration is for the land to be returned to the Hapū of the Islands.

Book of maps attached

Environment

Archaeology and sites of significance

Our Islands have a strong history of occupation. The first inhabitants lived in the Tauranga moana region for many generations before the great waka migrations. Our people lived a nomadic life. They lived off the plentiful resources provided by Tane (Atua of the Forest), Tangaroa (Atua of the Moana) and Haumietiketike (Atua of uncultivated foods).

Because of the plentiful supply of resources there was no need for warfare. And as archaeological records show (Otawhiwhi) most of their artisan skills were concentrated on fashioning tools for fishing and hunting.

Many generations later, the great waka migration from across the Pacific made landfall in Aotearoa. The migrants spread far throughout the country and gradually integrated with the original people here. The inter-marriage of the early inhabitants with the recent migrants largely makes up the inter-twined whakapapa of those that reside here on Matakana and Rangiwaea.

The New Zealand Historic Places Trust has identified areas containing archaeological evidence of substantial, sustained and structured early settlements, rather than temporary and short-term settlements.

Matakana Island forms part of a large archaeological landscape within the Bay of Plenty. The Island was extensively occupied in pre-European times. Its favourable environment is reflected in the large number of archaeological sites. There are noteworthy fortifications on Matakana Core, and in the old garden soils on the barrier arm there are large numbers of shell middens.—Marshall 1994.

Local archaeologist Ken Phillips writes:

. . . the only comparable Bay of Plenty archaeological landscape within a coastal dune environment in terms of land area and site density is the Papamoa Dune Plain however, the archaeological landscape of the barrier dune is arguably more significant than the Papamoa Dune in terms of the scale and intensity of settlement, extent of cultivations and antiquity of occupation.

Archaeological surveys

Over the last 30 years archaeological investigations have been completed on the harbour side¹ of the island, and also parts of the barrier arm. These are primarily due to plantation forestry harvesting and associated disturbance.

There is a large part of the barrier arm that is yet to be surveyed. The area has been in plantation forest for around 80 years. There has been between 3 and 4 pine plantation crops on Matakana. In the late 1800's and early 1900's, there was kauri gum digging² in the area.

All these activities have disturbed the surface archaeological features, especially where V-blading has been used to prepare the ground for pine forest replanting.

¹ The 'harbourside' includes the farming land on Matakana and Rangiwaea Islands.

² Stokes, E. 1980 Matakana and Rangiwaea – A Report on an Island Community in Tauranga Moana.

The process of V-blading³ is thought to have damaged archaeological sites to a depth of 0.5m. However there are likely to be subsurface archaeological features still undisturbed. Marshall, in her 1994 archaeological report, estimates that 1,000 hectares of the 4,000 hectares of plantation forest remains unbladed. Marshall writes:

[these] . . . unbladed areas are of prime importance because they contain information no longer recoverable from the V-bladed areas. They must therefore be treated with special care.

Sites have been surveyed to a depth of 1.2m and several midden have been identified, some having a diameter of 80m⁴. This is representative of long term occupation of an area with bulk processing of shell fish.

The New Zealand Historic Places Trust, facilitated by Doug Sutton, identified areas of significance on Matakana. The archaeological results showed settlement in the sandy forested area was substantial, sustained and structured; rather than temporary and short-term. The printed literature from these investigations further supports the korero from the local Hapū.

The relationship we have with our environment is synonymous with our whakapapa, and ultimately represents an inherent responsibility for exercising the fundamental principles of kaitiakitanga. It is in this context that we, the Tangata Whenua, deem the Islands of Matakana and Rangiwaea to be wāhi tapu.

Flora and Fauna

The realm of Tane (the Atua of the Forest) was a special place for our people. Activities such as hunting, fishing and rongoa (medicinal plants), to name a few, were conducted under the guidance of a tohunga who ensured the balance of mauri was maintained. Every human activity within the forest realm of Tane required strict protocols. This knowledge (matauranga) has been passed down through the generations to us, the Ahi kaa.

Presently, we have only a few indigenous fauna and flora species left because the landscape has been largely modified, degraded or destroyed. We, the Hapū, maintain strong connections to these areas and ensure that the matauranga associated with the management and use of these areas continues to live on.




Matakana Island contains pocket remnants of native plants and trees that have significant cultural and spiritual value. We have the following species present: Pohutukawa, Karaka, Puriri, Manuka, Kanuka, Rangiora, Whau, Tutu, Kawakawa, Karamu, Taupata, Harakeke, Tauhinu, Turutu, Ti Kouka, Mahoe, Pingao, Spinifex, Pimelea arenaria, Carex grass species and Olearia species, Eel Grass.

The Islands also contain taonga and endangered fauna that are found all around both Islands which include migratory and seasonal visitor species. These include: New Zealand Dotterel, Long-tailed bat, Moko, Katipo spider, Torea, Pied Stilt, Kahu, Banded Rail, Bittern, Grey Duck, Pheasant, Quail, Caspian Tern, Pukeko, Kotuku, Hakakao, Kereru, Pied Shag, Riroriro, Fantail, Fernbird, Wild Boars, Pipiwharaua, Brown Teal Duck, Grey Heron

³ Sutton 1993, In Press – V-Blading employed by companies to prepare clear-felled areas for replanting. Identified to be causing damage to archaeological sites to a depth of approximately 50cm. Was discontinued when the disastrous effects on archaeological sites discovered.

⁴ Marshall.Y. 1994 (Page 28) Archaeological Survey of Matakana – Auckland Uniservices Ltd.

Taonga and endangered species of flora and fauna

Species	Photograph	Status and commentary
<p>New Zealand Broom (Carmichaelia)</p>		<p><i>Regionally endangered.</i></p>
<p>Sand Daphne (Pimelea arenaria)</p>		<p><i>Chronically threatened, in gradual decline.</i></p>
<p>Fern. Cyclosaurus Interruptus</p>		<p><i>Nationally very rare.</i></p> <p>The Cyclosaurus interruptus fern is indigenous to the northern North Island, from Te Pahi to Kawhia Harbour, The Bay of Plenty, Mayor Island, and the Rotorua Lakes to Taupo.</p> <p>It is found here on Matakana Island at Waikoura on the northern end.</p>

Harakeke, Pingao,
Kawakawa, Karamu



These taonga plants have practical and medicinal uses and grow on the Islands. Pingao is a revered material used by traditional weavers.

Taonga invertebrates

Spiders and insects

Katipo Spider



In serious decline.

The spider is found on the ocean beach of Matakana Island. Little research has been done on the invertebrates on the Islands.

The katipo spider is an iconic, but threatened, member of this country's unique fauna. It is a coastal sand dune specialist, found mostly on the dunes of warm sandy beaches.

Katipo seem to have a narrow habitat range. It is essential we recognise, protect and restore its habitat.

Taonga fish species

Freshwater and saltwater fish

Inanga, eels, common bully,
fresh water koura



Eels and inanga have been a common food source found throughout both Islands. These two species are a delicacy and are treated with the utmost respect.

Waikoura wetlands contain both short and long finned eels and are harvested only occasionally to ensure the eels reach maturity for breeding.

There has been little research conducted on other fresh water fish species on the Islands.

Tamure/snapper, Flounder, Kahawai, Yellow Eyed Mullet, Kingfish, Grey Mullet, Trevally, Gurnard, Parore, Stargazers, Stingrays, Bronze Whalers



Many of New Zealand's saltwater fish stocks are in decline.

These salt water species are found around the Islands and are caught seasonally throughout the year.

Taonga bird species

Migratory and other birds

Matuku – Australasian Bittern (Botaurus poiciloptilus)



This is a nationally endangered species.

This bird lives in shallow, densely vegetated wetlands. It hides among raupo reeds and scrub.

They hunt fish, frogs, eels, mice and young birds. Their numbers have fallen due to drainage of wetlands. They are found in wetlands of Matakana Island.

Kotuku – White Heron



The Kotuku or White Heron is extremely rare.

Kotuku had mythical status for Maori because of their rarity and beauty. This beautiful bird visits Matakana on rare occasions.

Kuaka/Hakakao – Bar-tailed godwits – known locally as Curlews. (Limosa lapponica)



Bar-tailed godwits are the most common Arctic migrant to New Zealand. They make the longest non-stop flight of all birds – 11,000 kilometres from Alaska to New Zealand in only 5-6 days. They are found in coastal roosts around the Islands. These birds have been a common food source for the Hapū for generations however, due to loss of habitat, both locally and internationally, this species is in decline and the need to protect this habitat is paramount to ensure their continued presence within the eco-system is maintained.

Ruru (Morepork)



The Ruru is widely found throughout the Islands' pine forests and wetland margins.

They live in native and exotic forest and in open country. They require mature trees for shelter and nesting. Ruru roosts by day in thick vegetation, preferably in gullies with plenty of shelter.

Migratory and other birds

Moho-pereru – Banded Rail
(*Gallirallus philippensis*)



A nationally endangered species.

This bird is related to the weka, but is slimmer, and can fly. Banded rails inhabit dense rush, salt marsh or mangrove that surrounds freshwater and coastal waterways. Their diet includes land snails and coastal molluscs, crabs, spiders, insects and worms. They also eat berries and seeds.

Tuturiwhatu (NZ Dotterel)



A nationally endangered species.

NZ dotterels are shorebirds, usually found on sandy beaches and sandspits or feeding on tidal estuaries. NZ dotterels can be hard to see, because their camouflage. Matakana Island is New Zealand's most successful breeding site with a successful partnership between DOC and the community.

Tui



Tui are unique and prevalent throughout New Zealand.

They belong to the honeyeater family and feed mainly on nectar from flowers of native plants. Tui are important pollinators of native trees. Tui live where there is a balance of ground cover, shrubs and trees. Tui are found throughout Matakana Island

Taonga mammals

Endangered species

Pekapeka (Long-tailed bat)
Chalinolobus tuberculata



The long-tailed bat (also known as the wattled bat) is found throughout New Zealand.

This species is thought to visit seasonally around Waikoura wetlands of the north-western part of the Island.

In the 1800s, long-tailed bats were found in colonies of hundreds or thousands throughout New Zealand.

In 1930 they became scarce in many areas due to loss of habitat.

Taonga Mammals

Wild boar



Wild boar are an important food source for our people. Although they are treated as pests in some areas, they are managed sustainably to ensure stock numbers are maintained.

Water

Water (Te Waiora a Tane) is the source of all life that has sustained and nurtured Hapū for generations. All living things depend on the balance and harmony of these water bodies. There is a symbiotic relationship between Ahi kaa, Te Waiora a Tane and Tangaroa. Each relies on the other to nourish, replenish and sustain the resources we depend on for our sustenance. Our connection to these water sources is intrinsically linked through whakapapa and is a starting point for all life that exists on the Islands.

The recently ratified Mataatua Declaration on Water, of Te Hono o Mataatua, The Mataatua Assembly (which Ngai Te Rangi is a member iwi of) states:

We do hereby: Declare that is our desire and wish to continue to retain full, exclusive and undisturbed possession of our ancestral waters including rivers, streams, lakes, aquifers, groundwater, wetlands, tributaries and geothermal features and resources; and their beds and banks, and the airspace above these resources.

The Hapū acknowledge these relationships and view our inherited role as kaitiaki of all the associated water bodies on and surrounding both Islands.

Fisheries

The Hapū of Rangiwaea and Matakana seek confirmation for the following legislative documents: -

Taiapure

Twenty years ago, we actively pursued the establishment of a Taiapure and although the process proved too challenging for our Hapū, we support the notion that Taiapure would give our Hapū a greater say in the management of our traditionally important areas by advising the Minister of Fisheries on Regulations to control all types of fishing including commercial.

Mataitai

We seek the authority of the Ministry of Fisheries to manage and control the non commercial harvest of kai moana. As Tangata Kaitiaki, we require the ability to recommend By-laws to manage customary food gathering and sustainable management practices. We also acknowledge the permanency of Mataitai Reserves.

Marine & Coastal Area (Takutai Moana), Act 2011

Submissions by Tangata Whenua of the Islands were lodged for the Foreshore & Seabed Act 2004 that were subsequently repealed in 2011. We intend to make application that recognizes the Mana Tukuiho of our Hapū for our marine and coastal area, and provide for the exercise of customary interests in the common marine and coastal area and give legal expression to customary interests and intrinsic worth.

The increasing numbers of recreational fishers and boats in and around the Islands pose a threat to sustainable fish stock numbers. Recreational fishers and commercial fishing ventures are prevalent throughout the whole year within the Tauranga Harbour and throughout the coastal margins of Te Moananui a Toi.

Commercial fishing in the inner harbour is limited to only two operators. Yet it is with some indignation that Hapū members are forced to compete with commercial nets and crab pots in a

‘take’ that draws heavily on the limited resource in and around the Islands. The commercial operators are legally permitted to pursue these activities – which are often in direct conflict with customary fishing practises exercised by Hapū members.

The issue of dwindling fish stocks is not isolated to our Islands. But because of our location and dependency on kaimoana to sustain our Hapū, we feel the impacts severely. We are committed to restoring the breeding grounds in and around our Islands. The restoration of riparian margins on the Islands, and the improved water quality that results, has a direct impact on the restoration of fish breeding grounds.

Aquaculture has been highlighted as an aspiration and natural fit for the Hapū of the Islands to develop as part of our economic goals.

Air

The Hapū of Matakana and Rangiwaea have an integral relationship with air. Our relationship recognises the mana of Tawhirimatea (Atua o Nga Hau e Wha) in its purest essence, and the inherent tapu force and power that are mauriora – ‘the breath of life.’

Our Islands are situated along the general flight path of the Tauranga airport so we are constantly subjected to noise pollution. We object to the intrusion of low flying aircraft over our air space and to the ad-hoc activity of aircrafts practising landing manoeuvres on our highly significant coastal areas that also poses fire risks to the forestry plantations. We also assert our rights to own air waves and to broadcast from our own media, such as radio stations.

Threats from Poorly Constructed Policies

Threats from poorly constructed local government policies have allowed council-permitted activities to negatively affect the Hapū and Islands. The key issues are listed below.

Sewage Pipeline Discharge

The pipeline has been discharging sewage into the ocean off the barrier arm since the 1960’s, and continues to this day. This directly compromises the coastal environment and poisons our kai moana. We strongly object to this activity, and want it to cease.

Horse Trekking

Without proper consultation with Hapū, the local council recently established the Reserves and Facilities By-laws to allow horse trekking across to Matakana via the Matahui crossing. We object strongly to the passing of this policy and demand to be consulted, and have meaningful engagement with Council before such By-laws are passed.

Boats and Ski Lanes

For over 30 years local government has maintained a ski lane policy for Matakana, Rangiwaea and Motuhoa Islands that we consider irresponsible and dangerous. Against our will, we are forced to endure jet skis and jet boats blasting through small tracts of water dangerously close to where we conduct everyday family activities. There have already been 2 water-related deaths. We know of no comparable body of water in New Zealand where this would be considered legal, let alone safe. We object strongly to having our families’ safety, peace and well being compromised by poorly constructed policies.

Esplanade Reserves

There are several esplanade reserves at various locations on the Islands' coastal margins. These reserves have been created with no direct engagement with our Hapū. The new Western Bay of Plenty District Plan 2012 proposes "an esplanade reserve wider than 20m in width shall be set aside on: the whole of Matakana Island". This is a blatant example of raupatu in 2012 and we do not agree to this.

Port of Tauranga Ltd

The contribution the Port of Tauranga Ltd (the Port) has made to the local and national economy is acknowledged. Economic and environmental factors associated with the Port that negatively impact on our Islands and moana are as follows: -

- Dredging of the pipi beds on the main bank known as Te Paritaha o Te Awanui
- Increased volume of container shipping traffic and lack of defined shipping lanes
- Increased bio-security threats (invasive insects and organisms land and sea)
- Increased pollution from ballast waters

Dredging

The Port has consents granted by Environment Bay of Plenty to deepen and widen the shipping channels in the Tauranga harbour. This involves removing boulders from under Mauao, dredging Te Paritaha main bank and scouring Panepane – located at the Tauranga Harbour entrance on Matakana Island. The aim of the expansion of Port activities is to increase the volume of port traffic and to allow bigger container ships into the Tauranga harbour. While conditions have been negotiated between the Port and local Iwi representatives, we believe the accumulative effect of this activity is extremely detrimental for Te Awanui. In addition, much of the scientific evidence submitted by the Port relies on unknown variables that do not provide certainty.

Shipping Lanes

The absence of shipping lanes in New Zealand highlights the tension and risks that exist between economic interests and the integrity of the environment. The protest action at the Auckland wharf resulted in container ships being diverted to Tauranga. We saw this as another threat and potential catastrophe as container ships vied for access to Tauranga Ports and lined up outside Tuhua Island (marine reserve).

"The New Zealand government has been informed of eleven (11) close calls or near missing regarding accidents – ranging from tankers to passenger vessels – since the Rena disaster happened just over a year ago. Marine experts insist that this exemplifies the need for more enforced control. This report comes at a time when the New Zealand Government are asking for obligatory shipping lanes for the country". Reference: Maritime NZ October 2012

Biosecurity

We need stricter border controls to contain foreign, invasive, viruses that threaten native plants and our horticulture and agriculture ventures. The recent grounding of the Rena highlighted the risks and dangers of foreign and invasive species entering via the eastern coastline. We support a regime of bio-security testing and monitoring to mitigate any potential threats.

Ballast Waters

The increased volume of ships to Tauranga Harbour increases the volume and potential of polluted ballast water being spilled accidentally or deliberately into the marine environment.

Rena Monrovia Grounding

The grounding of the Rena in October 2011 highlighted the risks and dangers of weak government policies and protocols that contributed to the biggest recorded environmental disaster in New Zealand.

The oil spill and consequent spread of debris along the ocean side of the barrier arm affected our people spiritually, physically and mentally. It brought to the fore the true notion of kaitiakitanga, rangatiratanga and kotahitanga concepts. The Whanau, Hapū and Iwi banded together from day 1 to facilitate the clean up and we anticipate a 2-3 year long term project to return the coastline to its pre-Rena state.

The Rena Long-Term Environmental Recovery Plan supported at local, regional and national levels, sets goals and objectives for the environmental recovery following the grounding. It describes the environmental issues and outlines the actions that will be undertaken to address them. Reference: Rena Long Term Environmental Recovery Plan 2012

Matakana Island was identified as one of the 5 most impacted areas alongside Motiti Island, Maketu, Mauao/Papamoa and East Cape. The Rena Long Term Environment Recovery Plan highlights the importance of the role of Tangata Whenua in the affected areas and their partnership with government agencies, scientists and the like to facilitate projects to return the environment to its pre-Rena state.

Organisations and projects

The Matakana Island Marine Club – Incorporated Society

The Society was created in 1998 to handle the challenges on Matakana arising from land-selling and development. The key objectives for the Marine Club include:

- A forum that allowed Rangatahi/Pakeke to come together for korero/brainstorming
- Applying Matauranga Maori principles, and providing a framework for our people
- Facing up to the challenge of kaitiakitanga within a contemporary context
- An entity that allows for sustainable economic development
- Biodiversity concepts

Although the objectives of the Marine Club remain, the Club has since focussed on environmental restoration projects. The members aim to restore and enhance the spiritual well-being of our moana, whenua and taonga tuku-iho. The Club sources funding from various agencies to restore areas of significance on the Islands. The Club also aims to maintain tikanga and kawa protocols pertaining to the matauranga taiao of Matakana and Rangiwaea.

The entity has worked closely with landowners to restore wetlands and coastal areas on both Islands. In 2005, a 20-year project to restore 300 hectares of Riparian Habitats on the Islands was started. To date, we have restored over 50 hectares of wetland and coastal margins.

The Club has identified a vital link in the transition of knowledge from one generation to the next through its relationship with the Te Kura o Te Moutere o Matakana – Te Kotukutuku and Te Kohanga Reo. The Club works with these organisations to develop an environmental curriculum that supports and nurtures sustainable management of nga taonga tuku iho for future generations.

The Matakana Island Environmental Group

The Matakana Island Environmental Group was established under the umbrella of the Matakana Island Marine Club in 2004. The primary aim was to address environmental issues and to enhance and restore the biodiversity of the Islands.

Te Akakura/Matakana Island Nursery Project

Te Akakura was set up to provide a source of local indigenous native plants. These are then used to restore, replenish and enhance our coastal margins, wetlands, waterways and sites of significance. The nursery is strategically placed next to our Kura. It provides employment and a platform for an environmental education kaupapa.

With the successful development and ongoing management of Te Akakura/Matakana Island Nursery – The Marine Club has developed strong working relationships with the following;

- Ngai Te Rangi Iwi
- Nga Whenua Rahui
- Blakely Pacific Limited
- Tauranga Moana Maori Trust Board
- The Department of Conservation
- Environment Bay of Plenty Regional Council
- Whangaparoa Coast Care Group
- World Wide Fund

New Zealand Dotterel (Tuturiwhatu) Protection Project

Matakana Island is one of two important nesting grounds for the endangered New Zealand dotterel (tuturiwhatu). In 1992, the Department of Conservation (DOC) chose Matakana Island as a key breeding site for its Dotterel Recovery Programme. While the birds nest along three main areas, they can be found around the entire coastline of both Islands.

The programme involves Hapū members employed by DOC to undertake predator control. They reduce the risks from human activities, monitor the birds and promote school visits around nesting sites. This project is internationally recognised and is one of the best of its kind in New Zealand.

The Hamiora Whanau Trust Wetland

The Hamiora Whanau Trust wetland has an area of approximately 2 hectares. It is the outlet point of one of the major wetlands on the Island. This wetland is a unique freshwater-estuarine environment and contains a diverse range of avi-fauna, vertebrates, and invertebrates including nationally threatened species. The biodiversity values of this wetland have been threatened by stock intrusion, soil erosion, and nutrient run-off and the suffocation by pest weeds – mainly willow and gorse.

In late 2006 the Trust worked with Matakana Island Environment Group to put the wetland under a Nga Whenua Rahui Kawenata. The Hamiora whanau had for a long time, envisaged restoring their wetland back to its natural state to ensure future generations will have this precious taonga.

The Hamiora Whanau Trust Wetland has also had a boardwalk installed to allow for easy access to the 'little Island' in the middle of the wetland. It is used as an educational tool for our kura, and allows easy access for monitoring of the wetland.

Waihirere 11 Trust Wetland Restoration

The Waihirere 11 Trust Wetland has an area of approx 13 hectares. The current farmers were very keen to restore their wetland and protect and enhance the biodiversity. This is a large freshwater wetland containing a diverse range of avi-fauna, vertebrates and invertebrates species, including nationally-threatened species.

The biodiversity values of this wetland have been threatened by stock intrusion, soil erosion, nutrient run-off, and has been suffocated by pest weeds - mainly willow and gorse. The willow has formed large dense 'forests' in the wetland. However, a flourishing native under storey of mainly Carex grass species, coprosmas and a little manuka are growing.

The Matakana Island Environment Group helped form partnerships between the Trust and Bay of Plenty Regional Council. In 2008 the Trust signed up to an environmental program with Bay of Plenty Regional Council and a Nga Whenua Rahui Kawenata to start the restoration project. Matakana Island Environment Group facilitated and implemented the restoration project.

Opureora Wetland Restoration

The Opureora Wetland is a highly modified palustrine wetland system that is approximately one hectare in size. Intensive grazing has reduced the native plant species to Carex species with emergent Baumea articulate. The degradation of these native plants negatively affected the small juvenile eels that used this wetland system as a source of refuge. This also had an effect on the bird life that relied on these areas for food, especially the Matuku (Australasian bittern) which is seen on numerous occasions when water levels are high.

This area is of particular importance to Hapū both culturally and environmentally. It is the only known site on Matakana Island that supports such large numbers of juvenile eels which migrate into the wetland through the Waipuna (spring that is connected to the inner harbour via alluvial vents). Without this area many of our Kaumatua say the numbers of eels found on Matakana Island would become scarce and disrupt the balance of wetland biodiversity.

Murray Orchard Trust

This Palustrine wetland system is a five hectare block that runs through a twelve hectare kiwifruit orchard with a nine hectare livestock grazing on the outer edges of the western wetland system. This wetland system is one of the main tributaries that feed into the estuary area (Te Uretureture) which is the main breeding ground for most of the estuarine fish species caught in the Tauranga harbour.

Intensive unsustainable land practices, including agriculture and horticulture, have contributed to substantially decreasing fish numbers in this area. However, native plant species such as Jointed-twig rush and *Baumea articulata* are scattered in clumps throughout the wetland. This highly modified wetland is ecologically important and forms a natural corridor, especially for the juvenile short and long fin eels that use these sites as refuges.

Reputable scientists and researchers recognise the uniqueness of our wetlands, freshwater, coastal and inter-tidal zones around the Islands. Their research combined with Matakana Maori shows the biodiversities of these Islands to be extremely vulnerable. This environment is not only important to us, but to the entire country.

Restoration of Contaminated Lands

It is well documented that as a result of the toxic waste left from from the Mill tanning plant, our people are facing ongoing health challenges. Although our land mass is relatively small, our Islands have disproportionately large contaminated sites due to a variety of activities. The chemicals and toxins are the same as those used at similar mill sites throughout New Zealand. Our Hapū want all contaminated sites on the Islands cleaned up. We intend to work closely with the relevant authorities to achieve this. From a cultural, social and health perspective, we will not be satisfied until the contaminated sites are fully restored and cleansed.

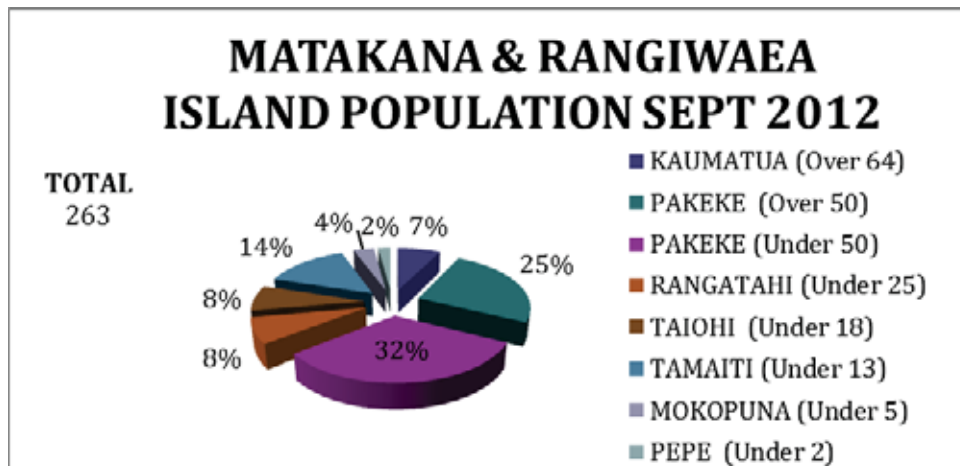
Our identity as a people is intrinsically connected with our environment. We whakapapa to these Islands and this continues to shape our view of the world and our place in it. We lead self sufficient lifestyles that draw on the resources of our environment. To be Tangata Whenua, indigenous, and Islanders, means we have unique characteristics. The following quotes encapsulate the identity and culture of our Hapū.

I have been here forever . . . through my tupuna. I will continue to be here through the coming generations. I belong here and live here because this is where I feel strong. My tupuna are here and this is home . . . Our history and stories are etched all over the whenua. Those stories make the Islands alive for me . . . Reference: Cultural Values Assessment, Taingahue, N. (2011)

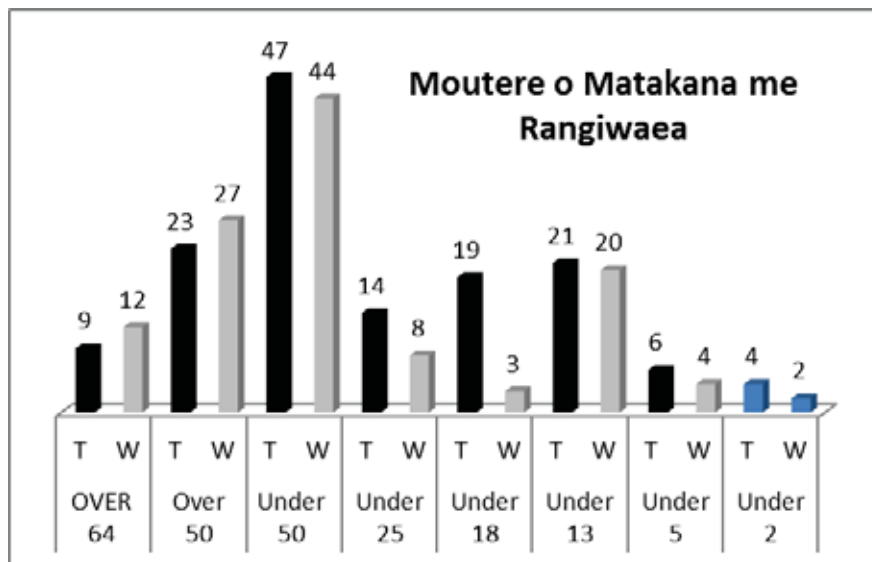
We are a resourceful and fiercely independent breed of people who can deliver our own babies, who grow up safe and secure within the extended family of Matakana. Reference: Cultural Values Assessment, Kuka, T. (2011)

Population

The following graph shows the population according to age. (Table 1)



The following graph (Table 2) shows the population according to male and female and age. A total of 143 residents are Tane and 120 are Wahine.



Many who live on the Islands have done so all their lives. We have a generational relationship with the Island that connects us with our past, our present and our future.

Population challenges

The population of Matakana and Rangiwaea Island has steadily declined since the 2001 census. We expect this decline to reverse as a result of Hapū establishing papakāinga and gaining funding for social and other housing projects.

Meantime, as noted in graph 1, approximately 7 per cent of our population is over 65 years. With our population low, we are not a high priority for receiving government support. We tend to receive limited local and central government sponsored social services.

Also, given the low number of permanent residents on Matakana, some developers are creating pressure to subdivide land on the barrier arm for 'lifestyle living.' For hundreds of years Hapū

members along the barrier arm have lived without neighbours. Any substantial increase in population will affect the social fabric of the Island, especially given that nearby residents are almost all Hapū members.

Additionally, the most condensed housing of Hapū members is on the harbour-side. If the barrier arm was allowed to be developed, there is a potential for creating a 'them and us,' situation – ethnic and other class distinctions. We do not believe this is conducive to creating social harmony.

Marae

Our Marae are fundamental to the retention and practise of our tikanga and kawa including our Reo Rangatira - Maori, and are integral to the wellbeing of our communities. Marae on both Islands are used as extensively for tangihanga, hura kohatu, huritau, wananga, hui a Hapū and for maintaining the social and cultural relationships of the Hapū.

Matakana has two functioning marae (Opureora and Oruarahi) with Hapū representations from Ngai Tuwhiwhia and Ngai Tamawhariua respectively. The Hapū of Ngati Tauaiti is in the process of re-establishing its marae complex at Te Kutaroa.

Rangiwaea Island has a functioning marae (Rangiwaea) and the Hapū representation is Te Whanau a Tauwhao. The Hapū of Te Ngare is also in the process of re-establishing their marae at Ōponui.

Hauora Services

Matakana Island has a health clinic, Te Awanui Hauora which provides health services. A General Practitioner and an assistant visit the clinic once a week. This service is particularly helpful for elderly residents, because it saves money and the inconvenience of travelling to the mainland for medical consultations.

Te Awanui Hauora organises periodic visits from other suppliers of specialist medical and social services. For example, these include:

- Nurses familiar with treating specific medical conditions (such as diabetes and asthma)
- Community training - First Aid
- Support services - provided by Inland Revenue and the Maori Land Court
- Transport to mainland services – for breast screening and hospital appointments

The Islands have their own accident and fire emergency response services. These services are staffed by volunteers. The majority of the residents on the Island are 'friends' of St John Ambulance and Helicopter services.

Rangiwaea Island, with its small population, does not have a medical clinic or doctor's service and residents prefer to engage with mainland health services. The residents are also required to meet any and all emergencies from within its own resourcing.

People on the Islands are general healthy and have access to good food and nutrition. Because of low incomes, and lack of easy access to health care, people tend to 'tough it out' and do their best until the doctor arrives.

However, the health challenges Hapū members experience are similar to those faced by Maori across the country generally. The difference is that these challenges are compounded by the isolation and higher charges to receive medical care and services. Typically prevalent health issues include:

- Glue ear
- Rheumatic fever
- Rheumatoid arthritis
- Gout
- Diabetes
- Breast cancer
- Prostate cancer
- Asthma and eczema
- An increasing number of Kaumatua require specialist and respite care

We have Hapū members who were exposed to chemicals from working at the timber tanalising plant on Matakana Island. Workers at comparable sites have suffered severe, long-term, medical conditions which equates with what is experienced by our Hapū members. Among our Hapū members, we have anecdotal evidence of birth defects, cancers and other problems typical of chemical poisoning.

Education

An educational challenge is that of maintaining educational facilities given our limited population and fluctuating birth rates. Returning families, combined with those currently on the Islands, will ensure enough tamariki to keep Te Kohanga Reo and the primary school open.

Keeping these institutions going is crucial from a cultural and social perspective. A recent Hauora survey revealed approx 7% of adult residents are fluent in Te Reo Rangatira. Te Kohanga Reo, the primary school and the Marae on the Islands play a vital role in revitalising our language.

We have 13 secondary school students who travel to the mainland and back each day for schooling. This is a particularly long day for our students, and the journey can be dangerous in rough weather. There are constraints around getting to and from barges on time. Living on the Islands affects the extent to which students can participate in extra-curricular activities on the mainland. Because of the ferry and barge timings, our students are unlikely to seek guidance from teachers, coaches, mentors and the like.

Some families choose to send their teenagers to board on the mainland during their secondary school years. There are no easy answers for meeting these challenges and providing opportunities for our tamariki. The Hapū are working on plans to successfully address these issues.

Housing and Papakāinga

New housing is a priority for our communities. Hapū members currently living on the Islands wish to build more durable, low cost and environmentally friendly homes.

Within a few years, leased land will become available and this presents new opportunities for those members who wish to return and live on whanau land. The challenge is to set up appropriate

administration structures and access to lending facilities by our Hapū members, given the bulk of land is in multiple ownership. We aspire to the provision of Kaumatua housing. (Ref: Map of current dwellings on the Island)

Papakāinga Development at Rangiwāea Island

At the Annual General Meeting for Tauwhao Te Ngare Trust (known as the Trust) in 2008, a mandate from shareholders to investigate an extension to the current Papakāinga was initiated as there were services for one only remaining house site. The Papakāinga housing project is for the beneficial owners and their descendants who whakapapa to the Hapū of Tauwhao me Te Ngare at Rangiwāea Island. The provision of housing arrangements for its beneficiaries is identified as a key objective in the Trust Order.

The Trust funded the project up until the resource consent process was ready to be undertaken. Planning work was completed by planners, Boffa Miskell and resource consent was provided by Western Bay of Plenty District Council to site an extra twenty two houses at Rangiwāea Island. A capability grant was provided by Te Puni Kokiri under "Social Housing Action Grant" to project manage the venture to Stage 2.

In February 2011, the Trust was successful in securing funding grants from Housing New Zealand to provide homes for the Papakāinga.

At this stage, development is focussed on four kaumatua units and one family home, including the installation of infrastructure for the new development. The current infrastructure has exhausted its capacity for the dwellings it currently services.

Planning for the first stage of development will realise people moving to the Papakāinga at Rangiwāea Island in June of 2013.

Recreation and Sports

The Matakana Island Recreation Club Incorporated (MIRCI) supports and hosts most recreational activities.

The principle purpose of MIRCI, as described in the Constitution, is to promote, foster and encourage sporting and recreational activities within the Island community. The land on which the MIRCI complex is located, was gifted by the Owners of the block who whakapapa to the Islands. The provision of land by the Owners was part of a commitment to providing a space for activities that contributed positively to the social and cultural fabric of the Island communities.

The MIRCI is an active organisation that provides a range of activities for a variety of sporting codes and recreational pastimes for its members and mainland visitors throughout the year. The "Club" as it is known, is a public licensed establishment. The membership of MIRCI is connected through whakapapa and observes tikanga maori in many of its practises to reflect its Maori community ethos.

The challenges of the MIRCI relates to funding. Funding for sports teams across the age groups from primary aged through to adult teams to participate in competition grades on the mainland comes at significant cost. It is a source of pride for Islanders to participate in sporting events that require regular travel to the mainland and further afield. Wherever sporting fixtures are held, the support of

the community is always prevalent as the Island community vacates to the mainland for the day to follow its teams.

Social Perceptions of Prejudice and Relationships

At times our relationships with business developers, local government and other agencies have been in conflict. This is because we have the perception that some decision-makers believe they are 'entitled to do what they want' on our Islands. Many of our Hapū members feel under siege and overwhelmed by developers, central government, and local councils and their policies.

Disproportionately High Rates for Services Received

We have a small population and therefore a smaller rating base. However we are subject to similar rating regimes as those who live in rural areas on the mainland. We supply our own water, dispose of household rubbish and empty and maintain our own septic tank systems. We have few public amenities and services on the Islands compared to mainland rural communities, however we are still required to pay similar rate fees.

At Rangiwaea Island, the Council does not provide the community with any services. The Rangiwaea community maintains its own roading, disposes of its household rubbish and empties and maintains its own septic tank systems. The Tauwhao Te Ngare Trust maintains potable water for the papakainga community and other residents are expected to maintain a bore and pump to service its own water needs. The wharf, pontoon and barge ramp were built by and maintained by the Tauwhao Te Ngare Trust for its Tangata Whenua residents.

Economic

We view any proposed development project that may negatively affect our natural environment or culture as a serious threat.

All land and economic development projects on the Islands must fit with our values. Only we, Ahi Kaa, can determine if any proposed development aligns with our cultural values. While we are not opposed to all development, we insist that our views on all land development are respected. We expect to be consulted before any land development is planned.

Transport and Access to Islands

For us the association of land and sea is our reality; the very essence of our being as it prevails in the day-to-day activities of our lives. Transport issues for the whanau of Matakana and Rangiwaea have always played a pivotal role in the way we interact with the outside world.—Taiawa Kuka/2000 Waitangi Tribunal Hearing at Opureora.

Living on an island can often be a harsh existence; there are few 'services' provided and the physical isolation often means that services always cost more than they do on the mainland. The whanau aspire to the ownership of the Forest Lady (a barge currently up for sale). Ownership of this barge would ensure better access to and from the Islands.

The following list presents the type of transport used for gaining access to the Islands over the years.

- Waka (between Islands and the township of Tauranga)
- Ferry services (from Tauranga township to Rangiwaea and Matakana)
- Horse and cart (from Island to Island and from Matakana to Matahui)
- Tractor (from Island to Island)
- Airplanes and helicopters (from Mount Maunganui to Matakana)
- Cars (from Island to Island, from Island to the township of Tauranga and Omokoroa)
- Roll on roll off barge services (from Omokoroa to Matakana, from Rangiwaea to Tauranga and from island to island)
- Boat, dinghy

Access to the Islands is dependent on the tides. To get to the Islands, residents and visitors need to hire a boat, or use the roll-on – roll-off vehicle barges.

The Islands are serviced by two privately owned and operated barges. One barge services Matakana Island and departs regularly from Omokoroa.

Another barge services Rangiwaea Island and departs from the Port of Tauranga and Sanfords Landing, however this is utilised mostly by commercial ventures. The Skookum barge is owned by a forestry company, Blakely Pacific who are also owners of significant tracts of forestry plantations and land.

Residents and visitors to Rangiwaea are required to pay a 'call out' fee to use the Skookum barge service. The Rangiwaea residents all own boats (at considerable cost) to access the mainland and the other Islands.

Local residents and commercial operations face the burden of escalating, high transport costs to and from the Islands. Many choose to own a vehicle and leave it on the mainland. Some residents operate their own boats, however the majority of the community rely on the regular barge timetable to get to and from the Islands.

Industry and Employment

Historically, the Islands main economic activities have been in the primary industry sectors. The 3 main industries; forestry, agriculture, and horticulture have sustained the Islands for many generations.

From the 1950's through to the 1970's, many Hapū members were forced off the Island to seek work and educational opportunities elsewhere. Some of these members and their descendants would like to return, however the lack of employment is problematic.

Our goal is to achieve sustainable employment that aligns with our tikanga, values and ideology. Such employment opportunities should be diverse and supported by whanau and Hapū.

Horticulture and Viticulture

We have 6 kiwifruit orchards and 1 vineyard on the Islands. Horticulture continues to be a stable and successful commercial activity, with a strong focus on the kiwifruit industry. A serious and significant threat to the kiwifruit industry is the disease PSA that is prevalent throughout the industry. These orchards are whanau or Hapū-owned and operated businesses. We plan to retain the land so that Hapū members remain involved in any economic development on the Islands.

Forestry

Forestry is a primary commercial focus for the Islands. Varying ages of established exotic forest plantations from young trees to mature export-grade logs are grown for harvesting.

The forestry lands have been alienated on paper from the Hapū for nearly 150 years. However, our Hapū still perceive the lands and our relationship with the 'bush' and the 'ocean beach' as an integral component of our Moutere and central to our very existence. Throughout the area we have maintained unimpeded access.

We continue to fish, hunt and gather kai and resources from here as our tupuna did before us. The forestry related businesses have sustained the economy on our Islands for many decades. This relationship has not been altered by the transfer of land titles to other people outside our Hapū.

Farming

Farming is a primary industry on the harbour side of the Islands. The aspirations of the Hapū are to develop these ventures further and increase market share.

Fisheries

Given our geographic location seafaring whakapapa, the Hapū aspires to acquire fishing quota and explore opportunities to develop aquaculture ventures.

Tourism

While tourism is small in scale, there is a wide variety of activities including, horse trekking, surfing, and backpacking and home stay operations.

Self Employment

The Islands have a number of self-employed business operators. They include a timber mill, a roading contractor, engineering services, builders, and private contractors.

Not for Profit

Given the size of the community, there is considerable activity in the not-for-profit sector. This includes: Te Akakura Nursery, Te Kohanga Reo, Te Awanui Hauora, MIRC and the Marae on the Islands.

Employment Challenge – (lack of diversity)

The Islands working population work in the primary industry sector which limits the career options of Hapū members. This also means that those who leave the Islands seeking work opportunities on the mainland often don't return because of limited job prospects.

Employment Challenge – (lack of sustainable employment)

Many jobs on the Islands involve seasonal work. Many Hapū members want to live and work on the Islands, but for some this is not economically viable or possible. Our goal is to develop a long-term economic plan for the Islands to attract suitable employers and businesses.

Lower Wage Rates – (compared with the mainland)

The cost of businesses operating on the Islands is higher than that of mainland businesses due to increased transportation and ongoing costs after set up. This leaves less for business owners to pay workers, hence the payment of lower wages. Living on the Islands incurs higher expenses, in particular escalating transportation costs. This presents a double challenge (low wages and high living costs) even for those who have good employment on the Islands.

Lack of Technological Infrastructure

We have poor telecommunications, electrical supply and other services. Poor infrastructure means we operate in an environment that limits our opportunities to easily switch to technology-based or other businesses that can create employment. Again, our goal is to develop a long-term economic plan that addresses these challenges.

Lack of Support for Unemployed

We face a unique situation in which people on the Islands without work are ineligible to receive the unemployment benefit. While we understand the rationale for this – it does place an inordinate burden on those genuinely unemployed.

Changing Land Use and Effects on our Economic Base

The Islands, our people, the natural environment and landscape possess unique characteristics. For these reasons, the 'typical planning approach' is not appropriate for the Islands' economic future.

Affects of changing land tenure systems on economic development

Over the decades changes to the land tenure systems have affected relationships between whanau. In the 1860's, legislation and rules were created which undermined the traditional communal land

tenure system and land use. The Native Land Court individualized land interests. That action resulted in fragmentation of land interests and forced ownership of those interests.

During the 1950s to '60s, Maori Affairs legislation amalgamated land interests and created larger land blocks with 42 year-leases. Ostensibly, the purpose was to consolidate land interests to create bigger, more economically viable land blocks. Land boundaries customarily recognized by whanau and Hapū were changed with the stroke of the Court's pen.

With larger leasehold dairy farming operations imposed on our Hapū, the smaller whanau farms became uneconomic. Many whanau were forced onto much smaller landholdings that could barely sustain them. Some whanau were forced to move to the mainland to survive. Many Hapū members have not been able to return to this day.

Current impediments to land use and economic development

The Islands have a number of Maori Trusts to administer Maori land blocks with multiple-owners. Yet many land blocks remain without trusts or formal administration.

We face costly and time-consuming burdens when attempting to establish proper administration over these land blocks. It is difficult to coordinate with numerous owners when they live in other parts of the country or the world. The result is that this situation makes it difficult for us to fully utilize our own lands.

The 'retention – development' tensions within Te Ture Whenua Maori Act combined with Maori Land Court resistance to further partition Maori land is a huge economic constraint.

Appendix – Matakana Island Trust Shares

The following pages document the formation, development and changing shareholdings of Matakana Island Trust (MIT), in Te Kotukutuku Corporation (TKC) and TKC Holdings.

In 1989 London Pacific the company that owned the forestry asset of approx 4000ha – including Forest Lady barge, Mill Village and Timber Mill - on the barrier arm was placed into receivership. Several proposals were presented to the Island community from local and international corporate investors. These proposals ranged from working alongside the new owners of the forestry asset, to other options of ownership of the asset ourselves, for and on behalf of our Hapū.

The formation of TKC, its relationship with MIT and the subsequent legal battle that ensued for the Matakana forestry asset is a riveting tale full of intrigue, suspense and disappointment.

The following information has been compiled using various documents from the Matakana Island Waitangi Tribunal Hearing in Dec 2000 and other Briefs of Evidence. Specifically, the Brief of Evidence of Mark Ngatai, Taiawa Kuka and other tribunal witnesses from that Hearing. Additional information has been added from the affidavits provided by Graeme Ingham in 2004 and 2006, which have been included in the Constraints and Opportunities Report – Reference:Matakana Island 2011. The attached timeline discussing the shares background explains how MIT, TKC and TKC Holdings evolved into the current shareholding.

In 1992 The FAR- ITT- Rayonier Consortium, which included a Wellington based group of investment companies–FAR and two international forestry companies were in negotiation with the receivers for the forestry asset. The foreign owned component of FAR included a Malaysian company - Earnslaw One, which required consent from the Minister of Lands to purchase the forestry asset. TKC petitioned the Minister who delayed the consent. While in negotiations with the receiver TKC were advised that the forestry asset had been sold to the Far Consortium which now included a New Zealand company - Caldora. It was later revealed that in fact Caldora was a wholly owned subsidiary of Earnslaw One, the Malaysian owned company.

TKC initiated legal proceedings in the High Court, seeking an injunction to stop the sale, challenging the validity of a foreign company bypassing the overseas investment legislation. ITT immediately began mass clear felling the forest. The Island Hapū responded with the Aukati - the dropping of the log across Hume highway the main transport road into the forestry area, an attempt to stall the clear felling until the High Court decision was made.

In Aug 1993 the High Court found that Caldora was a sham company designed to bypass the overseas investment legislation, therefore the Earnslaw One part of the contract was illegal. The FAR – ITT Consortium was found to be not guilty of any wrong.

To avoid further litigation TKC and Earnslaw One negotiated an out of Court deal whereby TKC and MIT jointly purchased Earnslaw's part of the assets owned by Caldora, which were 4000 hectares of land and trees 17 years and under as of 1991.

During this Case, another litigator became involved – Chris Wingate who claimed FAR had stolen his intellectual property and used these for FAR's pecuniary advantage. This litigation went on for five years, culminating in the Privy Council Case in October 1999, whereby Wingate's Appeal was unsuccessful and TKC and MIT were deemed to be the rightful owners of the forestry asset.

In 1994, a Heads of Agreement (HOA) was signed between the partnership TKC/MIT and Blakely Pacific Ltd (BPL). This HOA saw TKC/MIT gain 2000 hectares plus cash by selling half the land to BPL, plus the trees 16 years and under. Other terms of the HOA included recognition of cultural sites of significance and the first offer of refusal for any future sales back to TKC/MIT.

Further negotiations with the FAR Consortium resulted in the Minute Man Holdings Company being formed which owned the land under the Mill and houses. This company was a subsidiary of the MIT/TKC partnership.

Access to barrier arm on Matakana Island

Our Hapū has always had unfettered access to the barrier arm for maintaining our customary practises. Historically, a Maori roadway was established for our Hapū to access the barrier arm. This access was designed specifically for our Hapū and not as a general public access. We intend to continue utilising the barrier arm to provide access to the coastline, resources and cultural sites of significance.

Future access to the barrier arm will have to be considered as part of the Whole of Island plan and the areas of importance to the Hapū should be avoided. The Panepane Access Heads of Agreement

document established in 2011 between the council and the forestry land owners did not include our Hapū and we do not support this.

Proposed Barge Basin at Waikune/Otapu

The resource consent application lodged by TKC Holdings for the turnaround barge basin at the southern end of Matakana was vigorously opposed by the Hapū of Matakana and Rangiwaea in 2009. Improved access will be considered as part of the Whole of Island Plan.

	MATAKANA ISLAND TRUST SHARES BACKGROUND 1991
1990	1. <u>Matakana Island Trust</u> : Island community, form a charitable trust with the beneficiaries being the community.
1991 – April	2. Matakana Island Corporation Limited, to be later changed to <u>Te Kotukutuku Corporation Limited</u> , or TKC, formed with the support of the community. The share holding – 49% individuals; and 51% MIT on behalf of the Island community - the beneficiaries. 3. <u>The Matakana Island Trust</u> (MIT) applies for incorporation as a board under the Charitable Trusts Act 1957. Initial focus in the trust deed was to address unemployment, and establish sustainable Island-based ventures to offer training and business options to the young. Eventually, the focus of the community turned to the possibility of buying the forest assets outright. Funds had already been raised for earlier ventures in 1990-91; by 1992 the target was the purchase of the forest asset.
1991 - May	<u>Origins of Te Kotukutuku Corporation</u> 4. Graeme Ingham presented proposal to the community to establish a company, Matakana Island Corporation Ltd. 51% of the shareholding to be vested in MIT for the community. The main objective was to form a basis so foreign investors could meet with the community to negotiate agreements etc. Part of the proposal was a tri-partite island tourism venture including Tuhua (Mayor Island) and Motiti, and the original shareholdings of this company were allocated to reflect this arrangement: <ul style="list-style-type: none"> *Matakana Island Trust – on behalf of community 51%, * Abe Aukaha – Motiti Island 10%, *Peri Murray – Mayor Island 10%, *Don Shaw – Graeme Ingham 29%. <p>The company was renamed Te Kotukutuku Corporation Ltd ('TKC') and the proposal and shareholding was accepted, although there were several issues the community had that still needed to be sorted out.</p>
1992	<u>Te Kotukutuku Corporation</u> - TKC became the vehicle to negotiate the forest asset purchase and the community put their faith behind the Company. The community now had a stake in the purchase of the forest asset because of their 51% shareholding held by MIT in TKC. - The allocation of the remaining 49% of the TKC shares did not proceed as had been presented above. There was no reference to the shares being in trust for the other Island (Motiti and Mayor Islands) as first proposed. The shareholding in TKC then became recorded as: <ul style="list-style-type: none"> * Matakana Island Trust – on behalf of community 51%, Abe Aukaha 8.3%,

	<p>*Peri Murray 8.3%,</p> <p>*Mark Ngatai 8.3%,</p> <p>* Don Shaw 12%,</p> <p>* Graeme Ingham 12%</p> <p>Mark Ngatai was included in the 49% shareholding by the individual shareholders, as he had become part of the negotiating team trying to purchase the forest for TKC.</p>
1993 – February	5. First call for contributions of \$1000 from the Island community for legal costs for TKC- Overseas Investment Commissions case. 20 Contributors in all. There was no certainty of success, therefore these contributions were unsecured.
1993 – 27 th April to 10 th October	THE AUKATI
	<p>6. Throughout the Aukati these \$1000 contributions were discussed.</p> <p><u>Discussions included:</u></p> <ol style="list-style-type: none"> No return for your \$1000 was the likely outcome as TKC had no money and assets at the time. A hectare of trees for your \$1000. A share in TKC for your \$1000. Unclear whether 1 share, or 1% shareholding in T.K.C. \$1000 paid back with interest.
1994	<p>7. Sale of half the forestry asset to Blakely Pacific Limited.</p> <p>- <i>All contributors of the first call were paid back one thousand dollars with 15% interest as per 6d above; but the offer for the hectare of trees or the share in TKC were still being discussed as a further recognition to those who gave money as 5 above.</i></p>
1994	8. A special MIT community hui requested by the beneficiaries of MIT to resolve the unclear situation of the Matakana Island Trust shares in TKC. <u>The share issue remained unresolved.</u>
1999	9. Privy Council, London.
1999 - December	<p>10. The <u>Privy Council Decision (Oct 99)</u>, confirms Te Kotukutuku Corporation ('TKC') and Matakana Island Trust ('MIT') partnership is the rightful owner of the Matakana Island forestry asset.</p> <p>Te Kotukutuku Corporation ('TKC') directors presented Waterways Development ('Waterways') to Matakana Island Trust ('MIT'). The Waterways was a joint venture residential development to be located at Duck Bay between TKC/MIT partnership and Pritchard Development.</p> <p>The TKC/MIT partnership eventually became the new company TKC Holdings (TKCH). TKCH's shareholding was set up to reflect the original intended TKC shareholding; 51% MIT & 49% TKC.</p>
2000 – May	11. <u>Waterways Development proposal</u> presented to Tangata Whenua. The

	<p>Waterways was a marina based residential subdivision of 166 houses, 'Pauanui Style', on 75ha of coastal land at Duck Bay.</p> <p>Tangata whenua strongly opposed the Waterways. MIT 51% shareholding in TKCH required support from tangata whenua for the Waterway.</p> <p>Although a 75ha title was subdivided off in 2006, the waterways eventually ceased to be discussed.</p>
2000 – October	<p>12. Special MIT community hui was requested by the beneficiaries. This hui was held and it was resolved by a clear majority of those who attended that:</p> <p><i>The MIT, on behalf of the community, retain its 51% shareholding in TKC; and, for those who wanted, to request a hectare of trees in TKC, as full settlement for their contributions of one thousand dollars.</i></p>
	<p>13. TKC restructured by the TKC – MIT directors to become <u>TCK Holdings Limited</u>. The shareholding being:</p> <ul style="list-style-type: none"> - 49% owned by TKC Limited, the original individuals as above in number 2; and 51% owned by MIT on behalf of the Matakana Island community. <p><i>TCK Holdings Limited is the joint venture partner with Pritchard Developments in the planned Waterway Development at Duck Bay.</i></p>
2002 – June	<p>14. MIT vote to distribute the MIT's 51% shares in TKC Holdings Limited.</p> <ul style="list-style-type: none"> - 6 MIT Trustees voted against distribution - 6 MIT Trustees voted for distribution - The MIT Chairperson casts a second vote in favour of the distribution. - MIT invites contributors, i.e. the individuals who gave \$1000, to request a share from MIT's 51% shareholding in TKC as per 6c above. - 13 contributors requested 24% of the MIT's shareholding in TKC Holdings Limited.
2003 – October	<p>15. MIT's Auditors meeting held <u>questioning</u> the loss of MIT's assets by approximately \$8.5 million. This loss was due to the share distribution to the 13 contributors, as above.</p> <ul style="list-style-type: none"> - In addition, as TKC Holdings had not provided audited accounts confirming MIT's shareholding, MIT Auditors were unable to complete the MIT financial audit for 2003. This is still the case in 2005.
2004 – October	<p>16. Proposed transfer of shares in TKC Holdings Limited by TKC Limited to Matakana Investment Group Limited, MIGL, which seeks to acquire up to 71% of the shares in TKC Holdings Ltd by offering \$16,901 per share or \$169,014 for 1%.</p>
2004 – January	<p>17. Solicitor General investigation into the distribution of MIT's 51% shareholding in TKC Holdings Ltd.</p>
2004 – February	<p>18. MIT Trustees split into two factions.</p>
2004 – 13 th February	<p>19. MIT Trustees against the share distribution, voted to remove those Trustees who voted for the share distribution; and to continue as an interim MIT to continue the business of the MIT.</p>
	<ul style="list-style-type: none"> - <i>February community hui supports the continuation of the interim MIT on behalf of the Matakana Island community.</i>

2004 - 13 th March	20. Community hui requested a special MIT / Community meeting to attempt to resolve the stalemate with the two factions of the MIT to be held on 17 th April, 2004, at Opureora Marae.
2004 – 17 th April	21. The hui was held but the <u>stalemate was not resolved</u> due to the absence of one of the factions, i.e. the MIT Trustees who were for the share distribution did not attend the special MIT/Community meeting. - The MIT Trustees who were for the share distribution also continue to operate as the Matakana Island Trust. May, 2004, these Trustees vote to remove the interim MIT.
2004	22. TKC sought a declaration that the transfer of TKC Holding shares to individuals was valid as per 11 above. - The lawyer for the MIT Trustees against the share distribution did not file a defence.
2005 – June	23. The MIT Trustees who were for the share distribution seek a summary judgement against the decisions made in the February 13 th meeting removing them; and establishing a Kiwibank account under the interim MIT with funds from the MIT Westpac account; and that the meeting to remove the interim MIT in May 2004 was valid.
2005 - July	24. The MIT shareholding is recorded at November 2004 as 270 of 1000 shares, i.e. MIT, on behalf of the Matakana Island community, now owns 27% shareholding in TKC Holdings; individuals, TKC Limited and others, 73% shareholding.
2005 – 5 th August	25. The Community hui outcome tautoko's instruction to barrister Fred Thorpe of Fleming, Foster, Palmer: solicitors Auckland, to challenge decision transferring MIT shares to private individuals.
2005 – 4 th September	26. TKC now the majority shareholder, 53%, with transfer of 5 shares from private shareholders.
2005 – 7 th September	27. Pritchard Development - MIGL and Waterways developers – proposal to private shareholders.
2005 – 22 nd September	28. Summary Judgement goes to High Court. - Solicitor General asked by Court to continue investigation.
2005 – 23 rd October	29. Hui-a-Hapū called on behalf of beneficiaries of Matakana Island Trust: Barrister Fred Thorpe to advise on challenge mounted to the High Court to restore MIT 51% majority shareholdings.
2006	30. A proposal for a "Hapū partition" of the TKC/MIT lands (which have now been transferred into ownership of TKCH), to develop 30% of their land holdings in exchange for 70% to MIT for the Hapū, i.e., tangata whenua of Matakana and Rangiwaea. The MIT shareholding in TKCH had diminished to 27%. TKC had been sold on to Matakana Investment Group ('MIG'). MIG now own 69% of TKCH shareholdings.
2007 – 2008	31. New proposals from TKCH and Blakely Pacific Limited ('BPL') were floated with tangata whenua. Western Bay District Plan and rules allowed rural subdivision of minimum of 40ha. TKCH proposed 56 x 40ha lots, including a turn around barge ramp at Duck Bay. BPL proposed 48 x 40ha lots over their land
2010	32. TKCH approach MIT to canvass a proposal, whereby all 3 forest owners TKCH, BPL and Scorpions would return 70% of total forest lands of Matakana to the Hapū, via the MIT shareholdings – approx 2700ha. In exchange the

	<p>remaining 30% of forest lands would be developed by the 3 forestry owners, BPL, TKCH and Scorpions into residential land use, which Tangata Whenua, had to support.</p>
2011 – May	<p>33. The 70/30 ‘Hapū partition’ was presented to the Matakana Island community. Again Tangata Whenua were strongly opposed to what was proposed. The discussion has stalled and both parties are at a stale mate.</p>

Appendix – Glossary

Ahi kā	Burning fire of occupation, title to land through occupation by a group. The group is able through whakapapa to trace back to primary ancestors who lived on the land.
Ahi-kā-roa	Long burning fires of occupation.
Awa	Stream, creek canal, gully.
Hapū	Sub-tribe.
Iwi	Tribe or clan.
Kaimoana	Seafood, shellfish.
Kaitiaki	Custodian; guardian through whakapapa.
Kaitiakitānga	The obligation of guardianship through whakapapa
Kaumātua	Respected elderly person.
Kaupapa	Topic; policy; matter for discussion; plan; scheme.
Kīngitanga	The Kīngitanga is a movement that arose among some of the Māori tribes of New Zealand in the central North Island in the 1850s, to establish a role similar in status to that of the monarch of the colonising people, the British, as a way of halting the alienation of Māori land
Kōrero	To talk; discuss; converse.
Kuia	Elderly female.
Kura	School; education; learning gathering.
Mana Moana	Authority over the sea.
Mana Motuhake	Absolute autonomy
Mana Tangata	Mana of people
Mana Whenua	Authority over the land through whakapapa and occupation.
Mātauranga	Knowledge.
Moana	Sea, Ocean, harbour.
Ngahere	Bush/Forest
Pakeke	Be grown up; adult; mature.

Rangatahi	Younger generation; youth.
Raupatu	Land taken illegally by legislation.
Rohe	Boundary; district area; tribal areas.
Rongoā	Traditional Maori Medicine; remedy; solution.
Taiao	Environment; natural world.
Tāne	Atua of the forest; male.
Tangata Whenua	Local Maori People of a particular area, whanau, Hapū or iwi.
Taonga	Treasures; sacred places; natural resources.
Taonga Tuku Iho	Treasures handed down eg: te reo maori, indigenous species and others
Tawhirimatea	Atua of weather, wind storms.
Te Awanui	Maori Traditional name for Tauranga Harbour.
Te Kōhanga Reo	Maori Language Nest
Te Moana Nui A Toi	Eastern coastline
Tikanga	Customary rule; the traditional way of doing things.
Tino Rangatiratanga	Right to exercise self-determination; absolute authority.
Tohunga	Highly skilled person, chosen expert or priest – deemed to be an expert in a particular field.
Wāhi tapu	Restricted or protected area; prohibited; sacred site. There are various levels of cultural and spiritual significance of wāhi tapu sites on Matakana and Rangiwaea.
Whakapapa	Genealogy, descent.
Whakaruruhau	To provide shelter
Whakatauki	Proverb; saying.
Whānau	Family
Whenua	Land
Motu A Tangaroa	Fish Island
Motu Manuka	Manuka Island
Tahuna A Manu	Shoal of birds

Motu Ngaio	Parasite Worm Island
Ratahi Rock	Significant landmark

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<http://www.waitangi-tribunal.govt.nz/scripts/reports/reports/215/C97F28B4-8643-4B50-8C7E-0517EA1D0176.pdf>

Appendix -- Cultural Values Assessment Report – November 2011:

http://www.westernbay.govt.nz/Documents/Projects/Matakanaisland/BOFFA_CulturalValuesAssessmentReport.pdf

Appendix – The Archaeological of Matakana Island – August 2011

<http://www.westernbay.govt.nz/Documents/Projects/Matakanaisland/ArchaeologyofMatakanaisland.pdf>

Appendix – Matakana Island Landscape Assessment August 2011

<http://www.westernbay.govt.nz/Documents/Projects/Matakanaisland/LandscapeAssessmentReport.pdf>

Appendix – Perspectives of Matakana Island – February 2012

<http://www.westernbay.govt.nz/Documents/Projects/Matakanaisland/MatakanaislandPerspectivesPDF.pdf>

Appendix – Matakana Island Recreation & Community Incorporated – 467788 Rules

<http://www.societies.govt.nz>

Appendix – Quick stats about Matakana Island – Statistics New Zealand – October 2012

Appendix – Submission to the District Plan – Heritage Chapter – 13 June 2008

Appendix – Wāhi Taonga and Wāhi Tapu

http://www.westernbay.govt.nz/Documents/Projects/Matakanaisland/BOFFA_CulturalValuesAssessmentReport.pdf

Appendix – Matakana and the Crown, Layne Harvey/Richard Boast – December 2000

<http://www.waitangi-tribunal.govt.nz/scripts/reports/reports/215/C97F28B4-8643-4B50-8C7E-0517EA1D0176.pdf>

Appendix – Constraints & Opportunities Report – 2011

http://www.westernbay.govt.nz/Documents/Projects/Matakanaisland/BOFFA_CulturalValuesAssessmentReport.pdf

Appendix – Historical Account, Heather Basset of Ngai Te Rangi Claims

<http://www.waitangi-tribunal.govt.nz/scripts/reports/reports/215/C97F28B4-8643-4B50-8C7E-0517EA1D0176.pdf>



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Projection: NZGD 2000 New Zealand Transverse Mercator



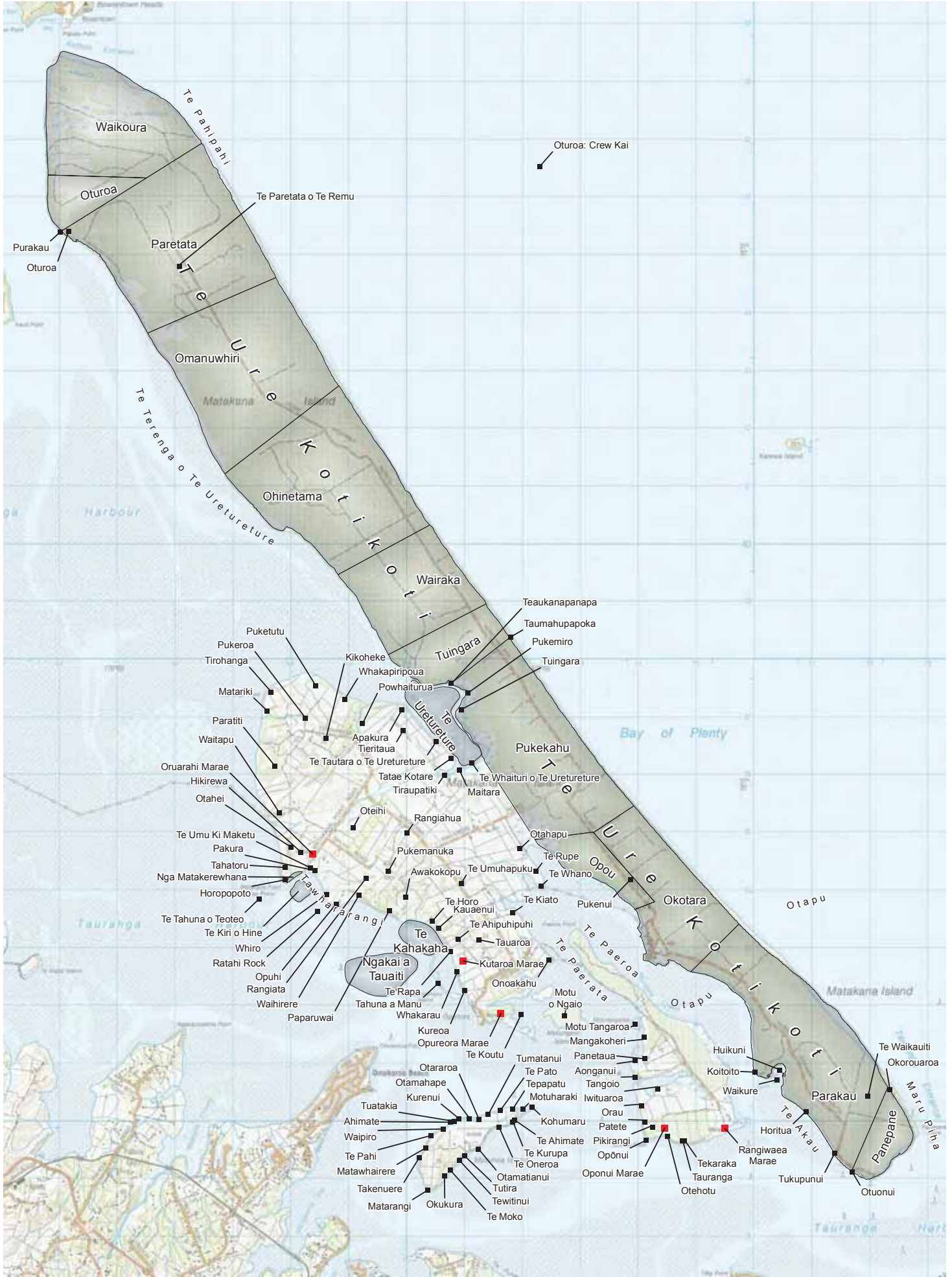
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Dwellings



Matakana Island Hapu Management Plan
Map 2: Population Map
Date: 31 October 2012 | Revision: A
Plan Prepared by Boffa Miskell Limited
Author: john.watt@boffamiskell.co.nz | Checked: Richard Coles



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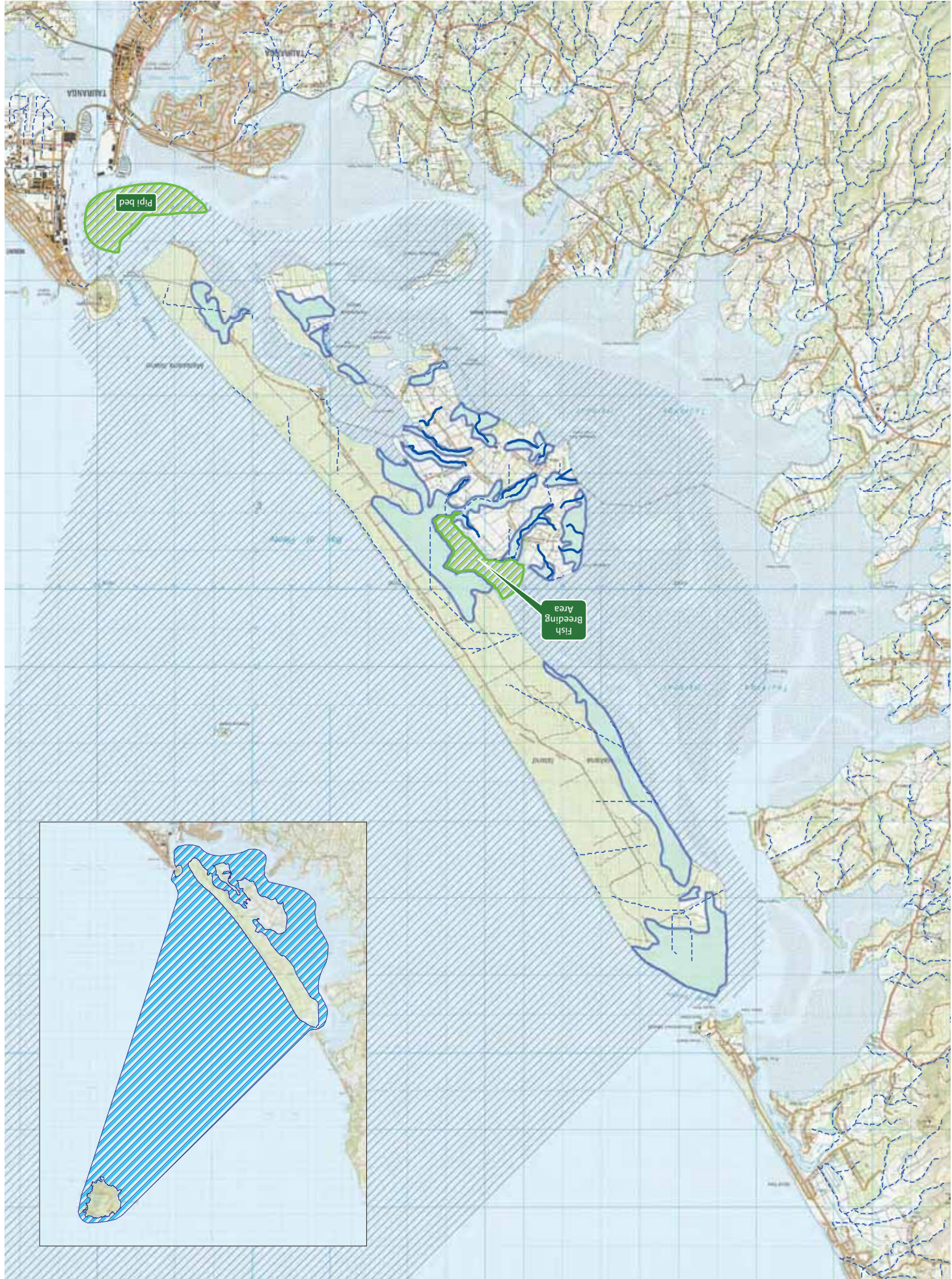


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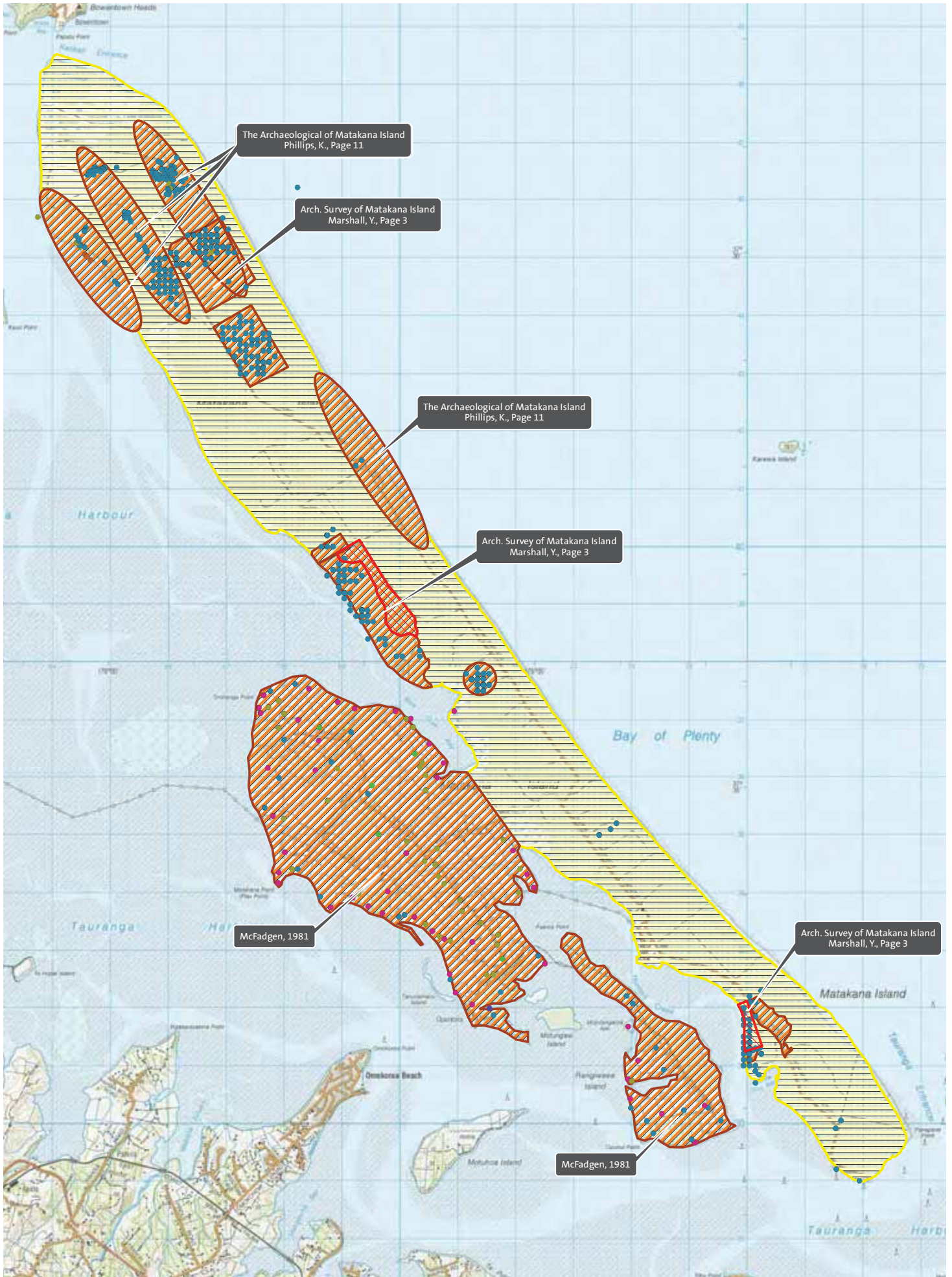
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Data Sources: Topographic data: LINZ, Protected areas: Jason Murray, Archaeological sites: NZA.
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0 2 km

- Legend
- Significant Marine Area
 - Waterways and Wetlands
 - Customary Fishing Area
 - River (NZRC)
 - River (NZTopo50)

Matakana Island Hapu Management Plan
Map 4: Waterways and Wetlands
Date: 31 October 2012 | Revision: A
Plan Prepared by Boffa Miskell Limited
Author: john.watt@boffamiskell.co.nz | Checked: Richard Coles



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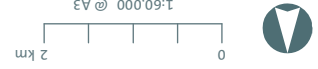
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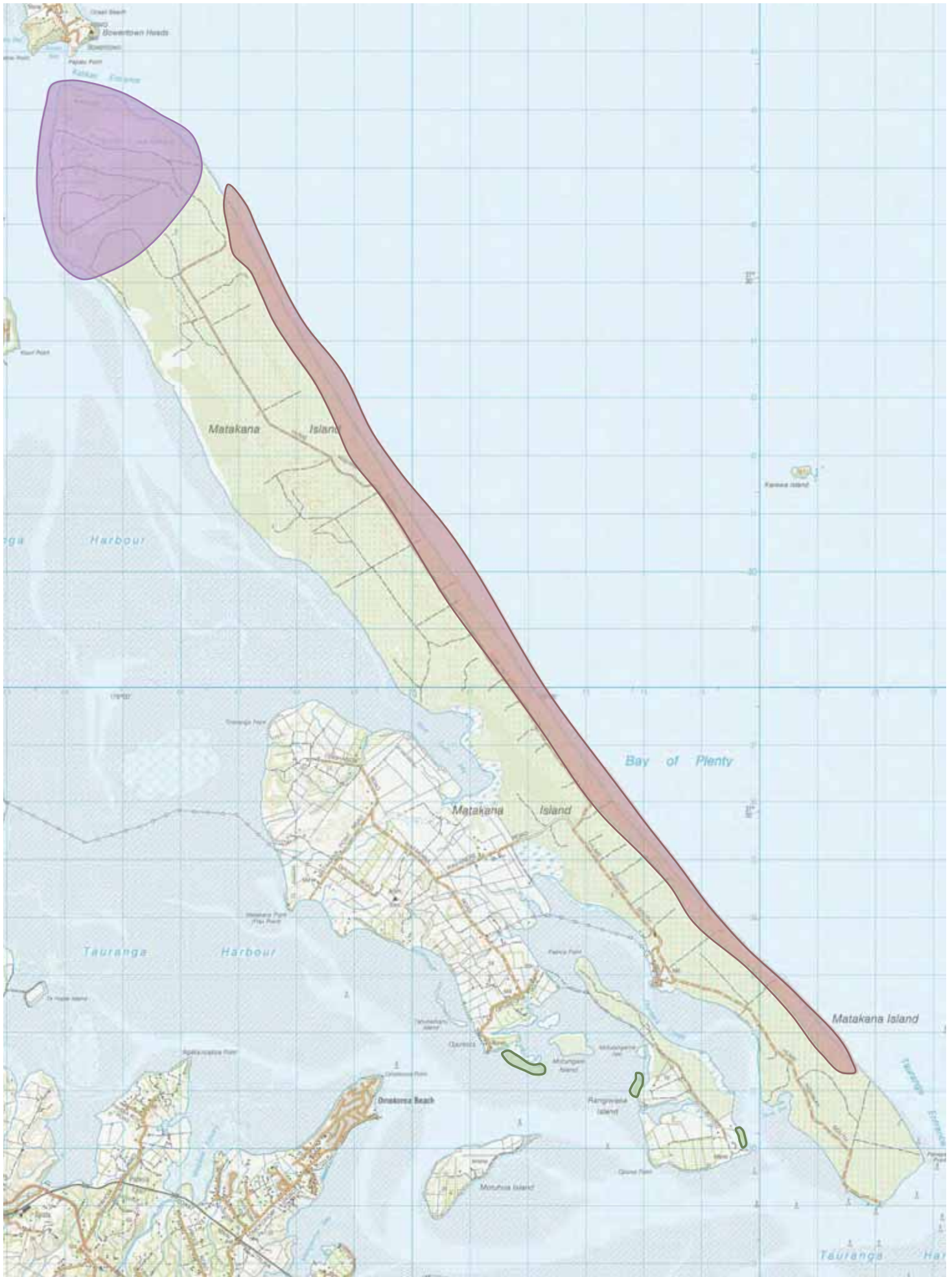
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Data Sources: Topographic data sourced from LINZ



Legend
Katipo

Matakana Island Hapu Management Plan
Map 6: Threatened and Endangered Native Fauna
Date: 31 October 2012 | Revision: A
Plan Prepared by Boffa Miskell Limited
Author: john.wat@boffamiskell.co.nz | Checked: Richard Coles





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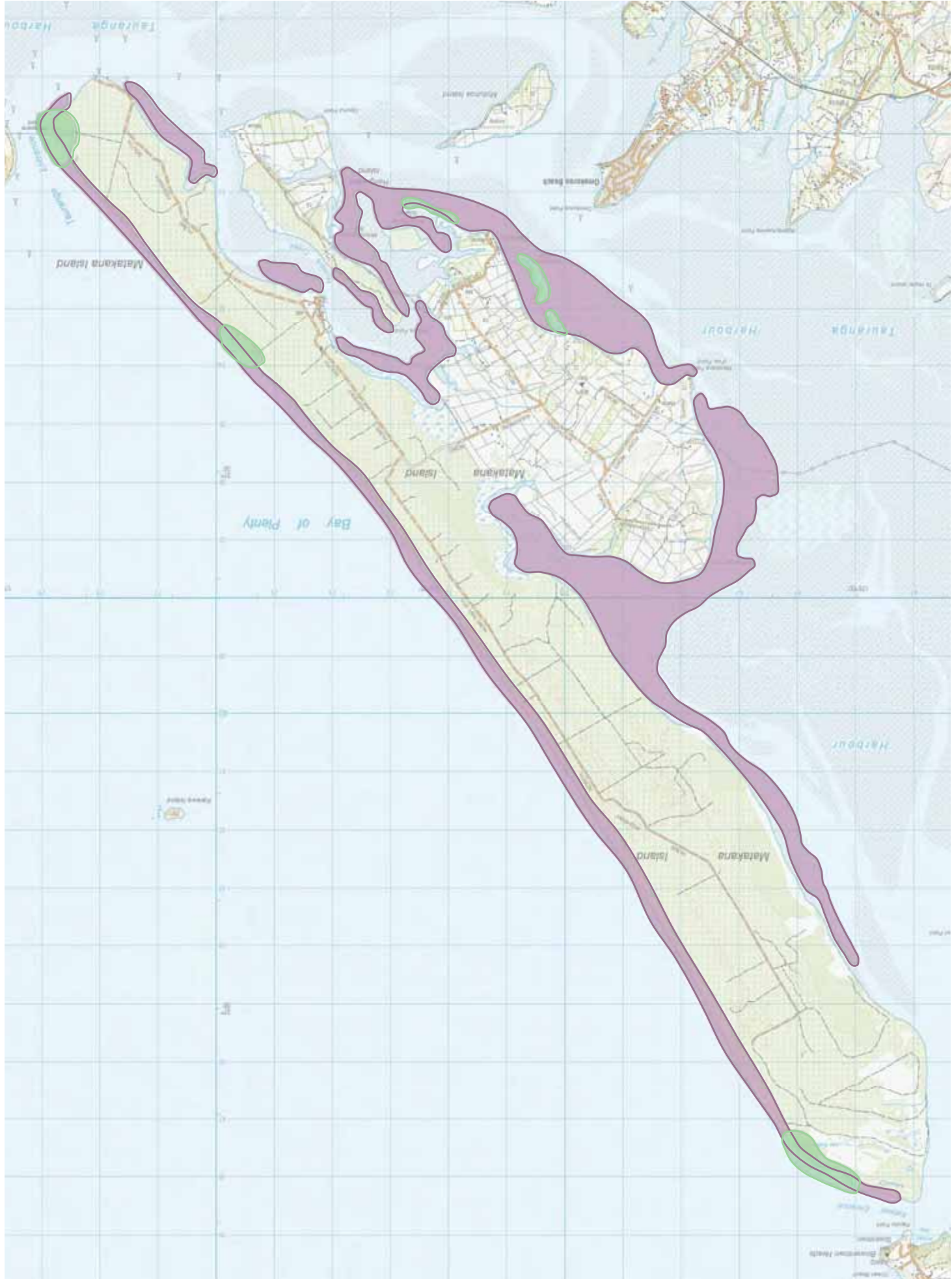
-  Nesting sites of Dotterel
-  Habitat that Dotterel occupy outside of nesting season

Author: john.watt@boffamiskell.co.nz | Checked: Richard Coles

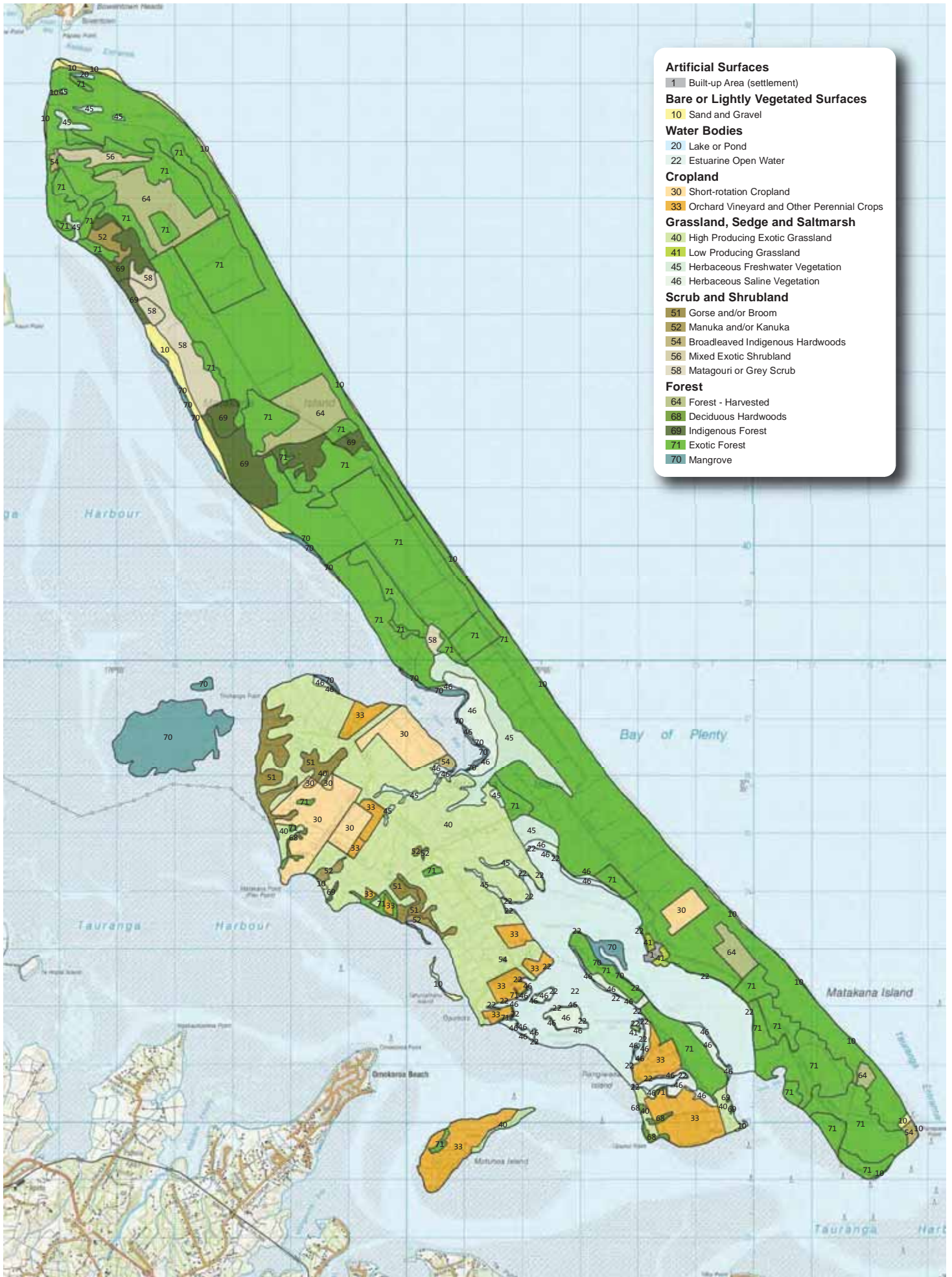
Plan Prepared by Boffa Miskell Limited

Date: 31 October 2012 | Revision: A

Matakana Island Policy Review Map 8: New Zealand Dotterel Habitat



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Artificial Surfaces

- 1 Built-up Area (settlement)

Bare or Lightly Vegetated Surfaces

- 10 Sand and Gravel

Water Bodies

- 20 Lake or Pond
- 22 Estuarine Open Water

Cropland

- 30 Short-rotation Cropland
- 33 Orchard Vineyard and Other Perennial Crops

Grassland, Sedge and Saltmarsh

- 40 High Producing Exotic Grassland
- 41 Low Producing Grassland
- 45 Herbaceous Freshwater Vegetation
- 46 Herbaceous Saline Vegetation

Scrub and Shrubland

- 51 Gorse and/or Broom
- 52 Manuka and/or Kanuka
- 54 Broadleaved Indigenous Hardwoods
- 56 Mixed Exotic Shrubland
- 58 Matagouri or Grey Scrub

Forest

- 64 Forest - Harvested
- 68 Deciduous Hardwoods
- 69 Indigenous Forest
- 71 Exotic Forest
- 70 Mangrove

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